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C O N F I D E N T I A L SECTION 01 OF 06 HARARE 000422

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SUBJECT: OBASANJO LETTER TO HOWARD: FANTASYLAND

REF: HARARE 206

Classified By: political section chief Matt Harrington.

11. (U) The recent letter from President Obasanjo to Australian PM Howard recommending lifting of Commonwealth sanctions on Zimbabwe surprised many observers in Zimbabwe, as many of the assertions on which his recommendation is based have little basis in reality. Indeed, the Nigerian president appears to have taken at face value a number of claims from President Mugabe which can most generously be described as disingenuous. Much of the letter, in fact, reads like a press release from the office of Information Minister Jonathan Moyo, whose reputation for intellectual dishonesty and vitriolic diatribes against all those who do not share his views is firmly established. We will defer to Embassy Abuja for an assessment of Obasanjo's motivations for writing such a letter but believe it is important to set the record straight on some of the document's more outrageous statements. Ironically, conversations with Nigerian diplomats based in Harare, one reported reftel, show that they do not believe the GOZ line reflected in the Obasanjo letter. The full text of the letter is contained in paragraph 2; our analysis is provided in paragraph 3.

12. (U) Begin Text of Obasanjo-Howard letter:

Dear Prime Minister,

I am writing to you at this time in continuation of our consultations and especially to brief you on issues on which we have been engaged relating to Zimbabwe. This briefing has become necessary following my recent visit to South Africa where I had extensive discussions with President Thabo Mbeki, President of the Republic of South Africa, and then to Zimbabwe where I was engaged in very useful and constructive exchange of views with President Robert Mugabe. President Mbeki seized the opportunity of my visit to brief me on his recent trip to Britain, including his discussions with Prime Minister Tony Blair on Zimbabwe.

You may recall Mr. Prime Minister that Zimbabwe was one of the issues discussed at the Commonwealth Heads of Government Meeting in Coolumb, Australia, in February 2002 as a result of which a troika was established to follow up on the matter. Soon afterwards, we had our first meeting at the Marlborough House in London in March 2002 to consider the report of the Commonwealth Observer Group on Zimbabwean elections, and it was also decided, among other things, that Zimbabwe should be suspended from the Commonwealth Councils for one year and that we would meet in a year to review developments during that one year suspension. In spite of the one year stipulation for meeting, the troika still met in Abuja at your request. Since then, your government has proceeded to impose sanctions on Zimbabwe, a decision which of course is your government's prerogative. However, this unfortunate decision would seem to me to compromise Australia's position as an honest broker in the Zimbabwean crisis.

Meanwhile, I am sad to note that the unhelpful media war between Britain and Zimbabwe has not abated, but actually exacerbated matters thereby worsening the already charged situation. It was against this background that I concluded that another meeting of the Commonwealth Troika on Zimbabwe at this time might not serve any useful purpose. Indeed, President Thabo Mbeki shares the same view. This position is further reinforced by the fact of certain critical developments that have occurred in Zimbabwe and which he must acknowledge.

In many of our previous meetings, it had been admitted that the issue of land is at the core of the current crisis in Zimbabwe and that an appropriate solution to this problem would go a long way in bringing to early conclusion other associated issues. Following my recent visit to Zimbabwe, I have come to realize that the land issue may no longer be the most serious problem at this juncture as it cannot be compared to the situation during the Lancaster House Conference in 1979 or even in the last ten years. It is now a matter of reality that the Fast Track Land Resettlement Program, adopted by the Government of Zimbabwe in order to

address the situation that was developing in the country at that time, has substantially ended since 31st August 2002. Since then, the Land Reform Program (LRP) has continued to be implemented in the normal regulatory process. I noted, in particular, that the land occupation by demonstrators has ended, while the Government of Zimbabwe has agreed to pay compensation for any improvement on the land acquired under the Fast Track Program and the LRP.

I am informed that in the current financial year, the Government has actually allocated the sum of four billion Zimbabwe dollars (\$4bn) to pay for full and fair compensation for whatever improvements that may have been made on the land being acquired. Although this may be a far cry from adequate compensation, the good intention on the part of a Government cash-strapped should not be overlooked. However, the Government still insists that compensation, for the true commercial value of the land, at today's prices, must be paid by the British Government, which did not pay anything when the lands were taken from the African owners during the colonial period. Furthermore, the Government of Zimbabwe has recently been engaged in dialogue with the Commercial Farmers Union (CFU). Indeed, the Government has again reiterated to these farmers its readiness and preparedness to provide land to anyone who wishes to continue farming and has so applied. Certainly, more work needs to be done in this process and it is therefore necessary that every encouragement must be given by all concerned. I emphasize that Government of Zimbabwe should always keep open the channel of dialogue with the Commercial Farmers Union who felt a sense of loss in the exercise.

The results of the Government's effort in the land redistribution exercise have been acclaimed a remarkable. By 1998, 74,000 families had been settled under the willing-seller/willing-buyer basis. An additional 220,000 communal peasant families and 54,000 indigenous commercial farmers were settled under the Fast Track Resettlement Program on 11 million hectares of land. Ideally, full compensation should have been paid as the land was being appropriated. This program has no doubt addressed, to some extent, the internal dissatisfaction arising from the skewed colonial land policy which remained a potential source of conflict in Zimbabwe. On the other hand, it is reasonable to expect that a major reform on this vast scale would be attended by some measure of corruption together with complaints of unfairness.

In response to some of these criticisms, President Mugabe confirmed to me that he had in place procedures for receiving complaints, and that all those found guilty of malpractices have been brought to book.

Moreover, in order to promote transparency, equity and ensure sustainable utilization of resettled land, as well as determining the level of uptake, the Government of Zimbabwe has instituted a land audit that aims to generate confidence in the whole process. This audit will help in the identification of any malpractices or corruption which the Government of Zimbabwe has expressed its readiness to investigate and redress.

With regard to the criticisms on land given to some officials but not utilized, it seems that this may not be directly connected with the Fast Track Program. Generally, the Zimbabwean Government gave land to those who intended to utilize it for farming purposes. It is also true that many of those allocated land need financial assistance from Government for optimum utilization. Unfortunately, with priority being given to payment of compensation for improvements on the land, the Government has only been able to provide financial assistance to about 30 percent of this group. This, I believe is an area where the international community can genuinely provide assistance, not to the Government but to those genuinely desirous of farming. In is encouraging that there has been renewed international interest in supporting the Land Reform Program in Zimbabwe. Given the progress which I have outlined above, it is essential that we should continue to look at ways by which we can get more members of the international community not only interested but actively involved in the program, only then can the average Zimbabwean begin to reap the benefits of the exercise and the country would be helped to cope with the issue of scarcity of food.

A major concern and perhaps criticism of the LRP by the international community has been the fate of former farm workers from neighboring states of Mozambique, Malawi and Zambia particularly affected by the redistribution program. I am informed that, of the estimated four hundred thousand people affected, some have been resettled, while may others have been re-employed on the 54,000 recently created commercial farms. In fact, I am assured that the Zimbabwean Cabinet has taken a decision to the effect that all foreigners of their offspring from SADC countries who came as laborers before 1980 will be entitled to Zimbabwean

citizenship. Accordingly, it is envisaged that by the end of March 2003, the problem of displaced former foreign workers will no longer be an issue as they will be entitled, as bona fide Zimbabwean citizens, to the full benefits of land reform.

Another area of concern and perhaps outcry pertains to the "Access to Information and Protection of Privacy Act (AIPPA)". I am assured in this regard the Government of Zimbabwe continues to make genuine efforts to respond to such concerns. Indeed, following challenges by the media in the Zimbabwean High Court, the Minister of Information has proposed some amendments to the Act. I have been assured that this will be one of the issues to be taken as matter of priority when Parliament resumes later this month.

On the issue of inter-party dialogue, the Government of Zimbabwe remains committed to resuming the talks but feels that this can only happen after the court's ruling on the petition by the opposition Movement for Democratic Change (MDC). In my separate meeting with Mr. Morgan Tsvangirai of the MDC, I have brought to his attention the position of the Zimbabwean Government with regard to negotiations. The MDC will now therefore have to decide on whether to withdraw the case from the court so that the negotiations can resume in earnest or wait until the determination of the case the court. There is need for Zimbabweans of all parties to dialogue and reach consensus on good governance, human rights, stability and general direction of development of their country.

During my visit to Zimbabwe, Honorable Job Sikhala, an MP of MDC for St Mary's, forwarded a petition to me complaining of breach of fundamental human rights on the part of the Zimbabwean police and possibly sponsored by Government. I raised the issue with President Mugabe who confirmed that the MP concerned had taken the case to court and that the police admitted with apology that the MP was assaulted. The police were to take necessary disciplinary action against the culprit, President Mugabe denied any Government involvement in such police acts. Allowing the case to be prosecuted in court must convince people that Government was not behind the act and would not condone it. From all accounts, it would appear that violence political or non-political is fairly pervasive in Zimbabwe. If there are some coming from Government agencies, there are certainly those coming from non-government agencies. All stakeholders in Zimbabwe have to work together to stop the reign of terror and violence. The Government must be in the vanguard of such efforts.

With the above, it is clear to me that we must concert to give every assistance to Zimbabwe so that the present crisis may be speedily brought to an end. It is also necessary that we should encourage the international community to redeem the pledges of financial assistance, reaffirmed in our Marlborough House decision, in order to expedite the land reform process and bring about the desired improvement in the standard of living of the generality of Zimbabweans. The international community and organizations that have generously contributed to food donations to Zimbabwe must be commended for the humanitarian gesture which has been of tremendous assistance to Zimbabwe and the sub-region. The earlier Zimbabwe can get out of her political crisis, economic difficulties and food shortage, the better it would be for the country, the sub-region and the continent. It is important that we remain positively engaged with Zimbabwe. We must continue to make good offices available for mediation between UK and Zimbabwe, a rather unfortunate confrontation in which rhetoric and media warfare and tend to be suppressing reason and fair mindedness.

From all the above, together with what I personally saw on the ground in Zimbabwe, I believe that the time is now auspicious to lift the sanctions on Zimbabwe with regard to her suspension from the Commonwealth Councils. This will represent an appropriate development for the final resolution of the crisis in that country.

I crave your indulgence to forward a copy of this letter to President Thabo Mbeki and another copy to the Secretary-General of the Commonwealth who can use it as a

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basis for re-establishment of contact with Zimbabwean authorities at all levels. This will be made easier with Prime Minister Tony Blair already accepting an appeal to discourage media offensive against Zimbabwe from the UK side and President Mugabe agreeing to reciprocate in kind. This should be the precursor to re-engagement between UK and Zimbabwe. Copies of this letter will also be forwarded to President Mugabe and Prime Minister Tony Blair.

Please accept, Prime Minister, the assurances of my highest esteem and consideration.

Yours sincerely,

Olusegun Obasanjo

End Text of Letter.

Comment

13. (C) The fact that President Obasanjo spends most of his letter discussing the Government of Zimbabwe's fast track resettlement effort suggests that he has bought President Mugabe's contention that land is at the center of this country's interrelated series of political, economic, humanitarian, and social crises, an assertion that was also accepted in the September 2001 Abuja agreement. Intense and widespread political repression and serious economic mismanagement are at the root of Zimbabwe's plight, although President Mugabe and his inner circle have, in some quarters, successfully used their chaotic land redistribution exercise to distract attention from their misgovernance. Zimbabwe's rapid economic contraction began in 1997, three years before Government-orchestrated land seizures began in earnest -- although the seizures have certainly accelerated this country's economic implosion. In addition, the overwhelming majority of political violence (murders, tortures, rapes, disappearances) is unrelated to the land seizures, but is sanctioned by the ruling party in an effort to extinguish any threat -- real or perceived -- to its iron grip on power. The Mugabe regime's actions are motivated overwhelmingly by the desire to maintain power at all costs. The following are point-by-point refutations of some of the factual errors in Obasanjo's letter:

--"the land occupation by demonstrators has ended, while the Government of Zimbabwe has agreed to pay compensation for any improvement on the land": Land seizures continue unabated. Seventy-seven farms have received compulsory acquisition notices since January 1, 2003. Only 126 of the 4,350 farmers who have received compulsory acquisition notices have received any amount of compensation. Of those 126 farmers, the payments received are far below the appraised value of improvements.

--"the Government has actually allocated the sum of four billion Zimbabwe dollars to pay for full and fair compensation for whatever improvements that may have been made on the land being acquired": although the budget was approved in November 2002, not a single cent of that allocated amount has yet been disbursed. Even if the GOZ does disburse this total sum of money, it would amount to an average payment of U.S.\$625 to each of the 4,350 affected farmers. Given that most of these properties contain large farmhouses, outlying buildings such as barns and tobacco curing facilities, roads, irrigation systems, dams, and expensive equipment, a payment of U.S.\$625 as "full and fair compensation" is laughable.

--"the Government of Zimbabwe has recently been engaged in dialogue with the Commercial Farmers Union (CFU). Indeed, the Government has again reiterated its readiness and preparedness to provide land to anyone who wishes to continue farming": The GOZ has trumpeted its new dialogue with the CFU as a significant breakthrough, although it has offered nothing of substance in these discussions. Instead, the GOZ is pressuring the farmers to sell their equipment at bargain basement prices to the new settlers and to turn over their title deeds, while telling them to seek compensation from international donors. Most observers have concluded that the apparent willingness of the GOZ to engage in dialogue with the CFU -- for the first time in 18 months -- was a charade intended to project an image of moderation during the Cricket World Cup and prior to an expected decision by the Commonwealth on whether to renew sanctions against Zimbabwe. On Government's repeated claims that no one will be left without a farm, it is important to point out that a third of farmers (approximately 1500) who had properties seized owned only one farm and have not been offered another one. Rather than leave farmers with one farm, Agriculture Minister Made has said that dispossessed farm owners would be put on a list for possible allocation of another farm -- a process as illogical as it is nonsensical.

--"An additional 220,000 communal peasant families and 54,000 indigenous commercial farmers were settled under the Fast Track Resettlement Program on 11 million hectares of land": We have been unable to confirm these figures, which the CFU believes are significantly inflated. We note that the GOZ, until recently, claimed to have settled 300,000 peasant families under the fast track program. In any case, the 220,000 figure is much lower than the number of farmworkers (estimated between 300-500,000) displaced by this program, suggesting a net loss for the Zimbabwean population. It is also important to note that fast track has not significantly decongested the communal areas -- one of the program's objectives -- as those who have been allocated land move back and forth between their new plots and properties in their home areas.

--"President Mugabe confirmed to me that he had in place procedures for receiving complaints, and that all those found guilty of malpractices have been brought to book": This is simply untrue. A land audit conducted by Cabinet Minister Flora Bhuka and recently published in "Africa Confidential" revealed widespread corruption in the fast track program, including that many prominent members of Mugabe's regime have obtained multiple farms. Not a single person on that list has been sanctioned. Instead, we understand that Bhuka has been marginalized as a result of her report.

--"With regard to the criticisms on land given to some officials but not utilized, it seems that this may not be directly connected with the Fast Track Program. Generally, the Zimbabwean Government gave land to those who intended to utilize it for farming purposes": Only about 30 percent of those allocated commercial farms under the A2 resettlement program have taken up their new properties, and only 25 percent of the allocated A2 properties are being farmed.

--"Unfortunately, with priority being given to payment of compensation for improvements on the land, the Government has only been able to provide financial assistance to about 30 percent of this group (new settlers needing financial assistance)": Since very few farmers have received any form of compensation, this sentence is misleading.

--"I am informed that, of the estimated four hundred thousand (former farmworkers) affected, some have been resettled, while many others have been re-employed on the 54,000 recently created commercial farms": Fewer than 10 percent of former farmworkers have been allocated land under fast track. While we have no reliable estimates of how many former farmworkers have been re-employed, the numbers are likely low given that crops are being cultivated on only 25 percent of A2 farms. Minister of Labor July Moyo recently refused to authorize an increase in the minimum wage for farmworkers from 4500 Zimbabwean dollars (U.S.\$3) a month, saying such a raise would make it impossible for the new settlers, including himself, to hire them and constitute economic sabotage against the government's land reform efforts.

--"Another area of concern and perhaps outcry pertains to the Access to Information and Protection of Privacy Act (AIPPA). I am assured in this regard the Government of Zimbabwe continues to make genuine efforts to respond to such concerns": More than a dozen journalists have been arrested since passage of this legislation in 2002, all of them from the independent media. Despite a number of documented cases of falsehoods published in the Government-controlled media, not a single journalist from the public media has been arrested or charged under this repressive legislation. The Government-controlled Media Commission established by this law has failed to act on the registration applications of most independent journalists, which prevents them from covering Parliament and a range of politically-significant events. We would welcome GOZ moves to ease the repressive effect of AIPPA but have yet to see evidence of any meaningful action in that direction. Indeed, proposed amendments to AIPPA submitted to Parliament would increase its repressive nature.

--"I raised the issue (of MDC MP Job Sikhala's torture) with President Mugabe who confirmed that the MP concerned had taken the case to court and that the police admitted with apology that the MP was assaulted. The police were to take necessary disciplinary action against the culprit. President Mugabe denied any Government involvement in such police acts": The ZANU-PF Government has used the police as an instrument of repression against its political opponents, so Mugabe's reported attempts to distinguish between Government and the police are without merit. We are not aware that anyone has been arrested or charged in connection with the torture of Sikhala.

--"From all accounts, it would appear that violence -- political or non-political -- is fairly pervasive in Zimbabwe. If there are some coming from Government agencies, there are certainly those coming from non-government agencies": Prominent human rights organizations have documented many incidences of human rights violations -- including more than 1,000 cases of torture and 58 politically-motivated murders in 2002 alone -- and found that, in the preponderance of instances (more than 90 percent), the victims were supporters of the MDC and the perpetrators ruling party supporters or government agents.

SULLIVAN